



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 10, 2015

The Honorable Ron Johnson
Chairman
Committee on Homeland Security and Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Johnson:

On May 8, 2015, the Government Accountability Office (GAO) publicly released a report entitled, *FCC Should Strengthen Its Management of Program to Assist Persons with Hearing or Speech Disabilities*, GAO-15-409. The report recommends that the Federal Communications Commission (FCC or Commission): 1) develop specific performance goals and measures for the telecommunications relay services (TRS) program, including establishing goals or performance measures that would guide its efforts on major program dimensions such as service quality or competition among providers; 2) conduct a robust risk assessment following the establishment of TRS performance goals, which can help the FCC design a comprehensive internal-control system; and 3) improve the FCC's communication of TRS rules and procedures to the community of individuals who are deaf, hard of hearing, or have speech disabilities and the companies providing TRS services by creating and disseminating of a handbook, program manual, or other consolidation of TRS rules and procedures. My staff has carefully reviewed the Report and proposals provided therein. Pursuant to 31 U.S.C. § 720, I am submitting this statement on actions the FCC has taken on those recommendations.

The FCC has initiated corrective action plans to address the recommendations in GAO's report. First, the Commission is drafting a notice of proposed rulemaking that will seek public comment on clearly stated proposed goals for the TRS program. The notice will include specific proposals by which to measure the program's performance toward meeting those stated goals. In drafting the notice, we have taken direction from GAO's recommendations and used the GAO Green Book¹ to ensure that our proposed goals and performance measures will ensure a well-balanced set of outcome and output measures that link to specific program performance goals. For example, an objective of the notice is to clearly define the term "functional equivalence" as a goal and establish measurements to assess progress toward that goal. Measurements may include service quality aspects of TRS, such as the speed and accuracy of typing or interpreting relay conversations, as well as assessments of the number of potential and actual relay users.

Second, we are using the GAO Green Book, as well as Office of Management and Budget's Circular A-123,² to revise our risk assessments to enable us to better identify risks to providing

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functionally equivalent services and to inform the development of the overall internal-control system, as recommended in the GAO report. We are also implementing more robust assessment tools for programmatic analysis and integrating audit findings as applicable into this system. Finally, we are continuing our ongoing and successful efforts to minimize the risk of fraud, waste and abuse in the TRS program.

Third, to ensure better communication with groups that are impacted by the TRS program, such as TRS users and providers, the FCC has entered into a contract with MITRE that will facilitate the FCC's efforts to directly address some of GAO's recommendations and will also further the goal of ensuring the efficient and effective delivery of functionally equivalent communications services for the covered disability populations. The relationship with MITRE already has resulted in the establishment of a TRS Center of Expertise (COE) that is bringing together experts, persons with disabilities and other stakeholders to identify and prioritize research and develop efforts to achieve functionally equivalent TRS access, so that people with communication disabilities can fully use and enjoy the benefits of the nation's communications systems. The COE is intended to initiate, manage, and serve as a review body for project research and reports, and to disseminate research findings to key stakeholders (policymakers, research community, interest groups, TRS user communities, etc.). In addition, our efforts with MITRE will accomplish the following:

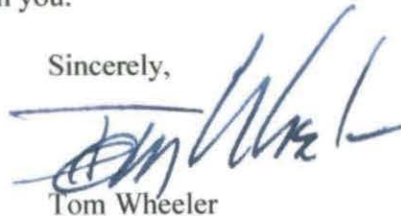
- Interoperability and usability testing that will provide the baseline data of how TRS is provided today. This baseline will serve as an objective foundation upon which the FCC can build meaningful goals and performance measures as it relates to ensuring interoperability among TRS providers and objective measures of service quality. It will also serve as a point of comparison to evaluate how the adoption of innovative technologies can enhance the quality, efficiency and/or effectiveness of the TRS program; and
- A National Outreach Program Coordinator overseen by MITRE, which will develop, coordinate, and disseminate non-branded information to potential new TRS users and to the general public about IP-CTS, IP Relay, and VRS, including their service features, purposes and benefits, and how to access and use these services. The Coordinator also will be charged with conducting an outreach campaign—"Answer the Call"—aimed at government and industry, to reinforce the obligation of these entities to facilitate communications access to and from persons who are deaf, hard of hearing, deaf-blind or have speech disabilities. Along these lines, this outreach will promote the hiring of people with communications disabilities to provide such direct communication between consumers and these various entities.

In addition, the Commission can ensure better communication with groups that are impacted by the TRS program through its newly established federal advisory committee, the Disability Advisory Committee (DAC). The mission of the DAC, which was formed in December 2014, is to provide advice and recommendations to the Commission on a wide array of disability issues within the FCC's jurisdiction, such as TRS, closed captioning, access to 911 emergency services, the impact of IP and other network transitions on people with disabilities and many other accessibility issues. The DAC membership consists of stakeholders representing disability consumer organizations, industry, state and local governments, and academics, and is co-chaired by one consumer representative and one industry representative. The DAC established four subcommittees, one of

which is devoted to TRS. This subcommittee recently came up with a concrete set of recommendations on improving the speed of answer performance for video relay service, which is a critical component for ensuring that this relay service is functionally equivalent to voice telephone services. The full DAC committee approved this and other subcommittee recommendations at the June 23, 2015 meeting at the FCC headquarters. The Commission will continue to use the subcommittee as way to improve the FCC's communication about TRS to consumers and companies and for receiving recommendations on TRS from these interested parties.

In summary, the FCC and its staff appreciate the GAO recommendations, and have initiated corrective action plans to implement them. Should you have any questions or comments regarding this matter, I would be pleased to discuss them with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", is written over a horizontal line.

Tom Wheeler

cc: The Honorable Jeff Sessions



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 10, 2015

The Honorable Thomas R. Carper
Ranking Member
Committee on Homeland Security and Governmental Affairs
United States Senate
340 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator Carper:

On May 8, 2015, the Government Accountability Office (GAO) publicly released a report entitled, *FCC Should Strengthen Its Management of Program to Assist Persons with Hearing or Speech Disabilities*, GAO-15-409. The report recommends that the Federal Communications Commission (FCC or Commission): 1) develop specific performance goals and measures for the telecommunications relay services (TRS) program, including establishing goals or performance measures that would guide its efforts on major program dimensions such as service quality or competition among providers; 2) conduct a robust risk assessment following the establishment of TRS performance goals, which can help the FCC design a comprehensive internal-control system; and 3) improve the FCC's communication of TRS rules and procedures to the community of individuals who are deaf, hard of hearing, or have speech disabilities and the companies providing TRS services by creating and disseminating of a handbook, program manual, or other consolidation of TRS rules and procedures. My staff has carefully reviewed the Report and proposals provided therein. Pursuant to 31 U.S.C. § 720, I am submitting this statement on actions the FCC has taken on those recommendations.

The FCC has initiated corrective action plans to address the recommendations in GAO's report. First, the Commission is drafting a notice of proposed rulemaking that will seek public comment on clearly stated proposed goals for the TRS program. The notice will include specific proposals by which to measure the program's performance toward meeting those stated goals. In drafting the notice, we have taken direction from GAO's recommendations and used the GAO Green Book¹ to ensure that our proposed goals and performance measures will ensure a well-balanced set of outcome and output measures that link to specific program performance goals. For example, an objective of the notice is to clearly define the term "functional equivalence" as a goal and establish measurements to assess progress toward that goal. Measurements may include service quality aspects of TRS, such as the speed and accuracy of typing or interpreting relay conversations, as well as assessments of the number of potential and actual relay users.

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Second, we are using the GAO Green Book, as well as Office of Management and Budget's Circular A-123,² to revise our risk assessments to enable us to better identify risks to providing functionally equivalent services and to inform the development of the overall internal-control system, as recommended in the GAO report. We are also implementing more robust assessment tools for programmatic analysis and integrating audit findings as applicable into this system. Finally, we are continuing our ongoing and successful efforts to minimize the risk of fraud, waste and abuse in the TRS program.

Third, to ensure better communication with groups that are impacted by the TRS program, such as TRS users and providers, the FCC has entered into a contract with MITRE that will facilitate the FCC's efforts to directly address some of GAO's recommendations and will also further the goal of ensuring the efficient and effective delivery of functionally equivalent communications services for the covered disability populations. The relationship with MITRE already has resulted in the establishment of a TRS Center of Expertise (COE) that is bringing together experts, persons with disabilities and other stakeholders to identify and prioritize research and develop efforts to achieve functionally equivalent TRS access, so that people with communication disabilities can fully use and enjoy the benefits of the nation's communications systems. The COE is intended to initiate, manage, and serve as a review body for project research and reports, and to disseminate research findings to key stakeholders (policymakers, research community, interest groups, TRS user communities, etc.). In addition, our efforts with MITRE will accomplish the following:

- Interoperability and usability testing that will provide the baseline data of how TRS is provided today. This baseline will serve as an objective foundation upon which the FCC can build meaningful goals and performance measures as it relates to ensuring interoperability among TRS providers and objective measures of service quality. It will also serve as a point of comparison to evaluate how the adoption of innovative technologies can enhance the quality, efficiency and/or effectiveness of the TRS program; and
- A National Outreach Program Coordinator overseen by MITRE, which will develop, coordinate, and disseminate non-branded information to potential new TRS users and to the general public about IP-CTS, IP Relay, and VRS, including their service features, purposes and benefits, and how to access and use these services. The Coordinator also will be charged with conducting an outreach campaign —“Answer the Call”— aimed at government and industry, to reinforce the obligation of these entities to facilitate communications access to and from persons who are deaf, hard of hearing, deaf-blind or have speech disabilities. Along these lines, this outreach will promote the hiring of people with communications disabilities to provide such direct communication between consumers and these various entities.

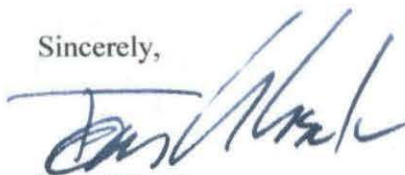
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In summary, the FCC and its staff appreciate the GAO recommendations, and have initiated corrective action plans to implement them. Should you have any questions or comments regarding this matter, I would be pleased to discuss them with you.

Sincerely,



Tom Wheeler

cc: The Honorable Jeff Sessions



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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 10, 2015

The Honorable Elijah E. Cummings
Ranking Member
Committee on Oversight and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Cummings:

On May 8, 2015, the Government Accountability Office (GAO) publicly released a report entitled, *FCC Should Strengthen Its Management of Program to Assist Persons with Hearing or Speech Disabilities*, GAO-15-409. The report recommends that the Federal Communications Commission (FCC or Commission): 1) develop specific performance goals and measures for the telecommunications relay services (TRS) program, including establishing goals or performance measures that would guide its efforts on major program dimensions such as service quality or competition among providers; 2) conduct a robust risk assessment following the establishment of TRS performance goals, which can help the FCC design a comprehensive internal-control system; and 3) improve the FCC's communication of TRS rules and procedures to the community of individuals who are deaf, hard of hearing, or have speech disabilities and the companies providing TRS services by creating and disseminating of a handbook, program manual, or other consolidation of TRS rules and procedures. My staff has carefully reviewed the Report and proposals provided therein. Pursuant to 31 U.S.C. § 720, I am submitting this statement on actions the FCC has taken on those recommendations.

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Tom Wheeler

cc: The Honorable Jeff Sessions



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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

July 10, 2015

The Honorable Jason Chaffetz
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

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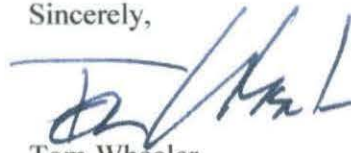
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Sincerely,



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